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November 15, 2021

Honorable Alison J. Nathan
United States District Court
Southern District of New York
40 Foley Square
New York, NY 10007

Re: United States v. Roger Thomas Clark
15-cr-866 (AJN)

Dear Judge Nathan:

As the Court knows, my client, Roger Thomas Clark, was badly injured in a fall at the Metropolitan Detention Center approximately one month ago. Following surgery, he is now receiving additional treatment for his injuries and rehabilitation (physical and occupational therapy) at a local hospital. I write to request that the Court issue an Order requiring the United States Marshals Service – and any private contract employees it uses at this facility - to provide confidential telephone calls and in-person meetings with Mr. Clark for my paralegal, Nato Chelidze, and me.

The Marshals Service has set up regular legal phone calls and visits. However, none of my contacts and none of my paralegal's contacts with Mr. Clark has been confidential. During each call or meeting, a contract employee retained by the Marshals Service has remained in the room. It is vital that Ms. Chelidze and I be able to speak privately with Mr. Clark so he can communicate information to us freely and under the protection of the attorney-client privilege. Our inability to do so impinges on his Sixth Amendment right to counsel.

Additionally, I seek an Order from the Court that would require the Marshal's Service to permit my paralegal or me to take photographs of Mr. Clark's surgical scars and bruising. I believe it is important for the Court to have a full understanding of the nature and extent of Mr. Clark's injuries when determining the appropriate sentence in this case. I have no objection to having

the photographs be taken in the presence of one of Mr. Clark's guards (unlike the foregoing request for confidential communications with Mr. Clark).

I have consulted with Assistant United States Attorney, Michael Neff, who is representing the government in this case, and the government has no objection to these requests.

Respectfully submitted,

_____/s/_____
Stephanie Carvlin

cc: AUSA Michael Neff
AUSA Vladislav Vainberg (via ECF)